

Testimony  
*United States House of Representatives Committee on the Judiciary*  
**Combating Modern Day Slavery: Reauthorization of Anti-Trafficking Programs**  
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Chairman Conyers, Ranking Member Smith and Distinguished Members of the Judiciary Committee. My name is Florrie Burke and I am a Human Trafficking Consultant from New York City. Until recently, I was the Senior Director of International Programs at Safe Horizon, the largest victim service agency in the country where I oversaw the Anti-Trafficking Program, the Survivors of Torture Program, and the 9/11 Community Trauma Response. Among other current projects, I am consulting to New York State agencies responsible for implementing services mandated by the new state law. I also consult to a number of Anti-Trafficking programs nationally and internationally and serve as an expert on various cases. It is my great privilege to testify before this committee on behalf of the hundreds of survivors of trafficking who have told me of their ordeals, their fears and finally, their freedom. I hope to also give voice to those victims who have not yet been discovered, identified or liberated.

Let me begin by congratulating Mr. Conyers, Mr. Lantos and co-sponsors of the **William Wilberforce Trafficking Victims Protection Reauthorization Act of 2007**. This act reflects the broad understanding, compassion and intelligence necessary to fight this crime. The Victims of Trafficking and Violence Protection Act of 2000 and the Reauthorization Acts of 2003 and 2005 have greatly impacted the lives of many who were led to believe that legitimate work, education, and a chance to earn a decent wage were available to them. Instead, they were deceived and devalued by the schemes of traffickers. Because of our laws and your hard work and diligence, life is better now for these survivors. Consider Ivana who answered an ad in her local paper in Eastern Europe. She was working as a teacher, but not earning enough to support herself and her aging, sick parents. The ad described a job in the U.S. as a hostess in a restaurant. Instead, Ivana was forced into a nightmare of prostitution with multiple rapes a daily occurrence. A customer rescued her and brought her to a service provider. After a lengthy process, but while receiving the necessary supports and assistance, Ivana's traffickers are in jail; she is now employed as a paralegal and has her sights set on a career as an attorney.

While acknowledging the advances of the field, the important provisions of the law and the Reauthorizations in 2003 and 2005, there are still many fewer victims being discovered than we had thought. There are surprisingly small numbers of children being identified as victims of trafficking despite the lurid headlines and stories in the media. The very law enforcement entities that might identify these cases need greater understanding of the issues.

My introduction to Modern Day Slavery was the Deaf Mexican case of 1997, involving 60 people held in a peddling ring. (U.S. v. Paoletti) After several years of working on

that case, the multiple issues of trafficking were apparent: recruitment, transportation, abuse, violence, psychological coercion, fraud, deception, immigration issues, document withholding, wage and hour elements and much more. This case provided an opportunity to use existing social services and enhance them by developing and adding innovative programs to address the specific needs of those who had been enslaved. We did not start from scratch—we used expertise available to us and built on it. In **Section 214, Ensuring Assistance For All Victims Of Trafficking In Persons**, the bill references the need to develop, expand and strengthen victim service programs. Because human trafficking is a hidden crime, it has taken years to develop a coordinated response and to create the infrastructure that can deal with it. Government and non-government agencies have proven that they can work together to address victim needs and the punishment of traffickers. This is not the time to dismantle existing programs by switching focus to a different population group. It is vitally important that U.S. citizens receive the attention they so deserve. It is also critical that the concerted effort to address the needs of trafficked children as outlined in this bill be recognized and carried forth. Until this Reauthorization bill of 2007, the needs of U.S. citizens, especially youth that have been sexually exploited, have not received adequate attention. However, it is not necessary to reinvent the wheel in order to serve these victims of this egregious form of slavery. There already exist programs that have expertise in working with exploited youth and programs that have expertise in working with foreign victims of human trafficking of all types. These groups need to come together in partnership with leadership from government agencies and then look at best practices and strategize ways of working that will help meet the goal of identifying more victims.

Unfortunately, a divide exists between assistance for immigrant victims of trafficking and citizen victims of trafficking. Without substantive research into this, it is impossible to say with certainty if there is, in fact, a disparity in the types, quality and number of service programs available for either group. This necessary research, the Study outlined in **Section 214**, should examine the funding of programs, the utilization of funds, the efficacy of programs and should also look at different types of programs. Taking away funding from one group of victims to support programs for another group of victims is not a solution. It is incumbent upon us to figure out better ways of utilizing resources. Certain funding restrictions appear to be antithetical to the goal of finding exploited youth and prosecuting their traffickers. To do that, partnerships must be created with those programs that know how to reach exploited youth through street outreach, education, counseling, peer support and other evidence based practice. Without these partnerships, victim service agencies and others will have difficulty reaching a group of youngsters who are afraid, dependent on traffickers and distrustful of law enforcement and providers. This is not the time to turn away from foreign born victims of trafficking and focus only on U.S. citizens. This is not an either-or situation. Both are equally important and deserving of full attention. These crimes are occurring in our country; the human rights abuses cannot be overlooked.

It is critical for the esteemed members of this committee and your Congressional colleagues to recognize the remarkable work of the DOJ prosecutors, OVC, ICE, FBI, DOL, HHS and countless NGO providers in addressing modern day slavery. We all want

to stop the scourge of human beings being used as commodities and as pathways to feed the greed of their traffickers. We can not and must not stop now in our efforts; we must use this work as a foundation to continue, to do better, to evaluate and strategize and put our considerable knowledge and expertise into working to free every US citizen and immigrant victim of slavery.

In my work with survivors of Human Trafficking, I have interviewed individuals enslaved as nurses, ship welders, bargirls, prostituted women, peddlers, massage parlor workers, hotel maids, dancers, migrant farm workers, factory workers, and domestic workers, among others. These people put themselves and their families at great risk when they agree to cooperate, tell their stories and assist in the prosecution. We can never forget the bravery of the survivors of the sex trafficking case, U.S. v. Carreto. Their traffickers never expected them to testify, their children were being held hostage, but these women had worked long and hard with a dedicated team of law enforcement, prosecutors and service providers and were determined to seek justice for themselves and for other women in similar situations. These traffickers received sentences of 50 years.

The important immigration provisions of the Reauthorization bill of 2007, Subtitle A- *Ensuring Availability of Possible Witnesses and Informants* must remain if we are to increase the rate of prosecutions and put a stop to the crime. One example of the import of these provisions concerns the threats made by traffickers against the victim's family, **Section 205**. We know these to be very real threats and often the strongest deterrent to cooperation on the part of a witness. Allowing parents and siblings who are in danger of retaliation because of the victim's cooperation with law enforcement to join the victim will greatly help in the prosecution, as the victims will not have to be constantly afraid and distracted from their roles as witnesses. **Section 201** will assist those victims who are not able to participate in a Law Enforcement interview due to their trauma apply for immigration relief regardless, based on the elements of their trafficking situation. This is both necessary and humane. **Section 206** asks that the regulations regarding adjustment of status to permanent residence for T visa holders be issued according to the TVPRA 2005. We urge the release of these regulations as many survivors of trafficking have had T visas for more than the three year requirement and have complied and cooperated with all government entities. We urge you to keep all immigration provisions in this bill as they are clearly designed to ensure that survivors of trafficking can more easily access protections and assist in investigating and prosecuting their traffickers.

As an expert witness in several cases of workers brought to the U.S. on employment based non-immigrant visas, and through extensive interviews with the workers, I have learned of the exploitation and abuse suffered at the hands of their employers. These workers were isolated, enslaved and uninformed as to their rights in this country. In the case of ship welders in Oklahoma, (EEOC v. John Pickle Co.) the men from India were highly trained engineers, machinists and welders possessing advanced certification of their skills. They were locked in a factory, forced to live on the premises in crowded, squalid conditions, had little time off, had their documents taken and were paid well below the minimum wage. Their movements were monitored, their e-mails and phone conversations read and listened to and they were constantly threatened with deportation,

abuse by the local law enforcement and retaliation against their families. These intelligent, hard working individuals had been given no information about labor laws in this country, about their rights, about workers compensation programs, etc. It is my opinion that **Section 202, Information for Work-Based Non-Immigrants on Legal Rights and Resources**, in the Reauthorization bill is a vastly needed prevention of the abuses that are often present in the current Guest Worker programs. During an interview just last week, a guest worker told me, “It was more than fear, it was ignorance of the U.S., We didn’t know how to make a phone call, didn’t know anyone here, didn’t know where to get help and we did not know the law. We didn’t even know exactly where we were.”

The development of a pamphlet that outlines workers rights, resources, laws and access to help is a major step in ensuring that the workers in this employment program will be protected, not exploited. **(Sections 110, 202)** If the welders in Oklahoma had been given this information, if the shepherders out west had been provided with this help, employers would be held accountable, injuries and death might have been prevented, and workers would do the work they had been promised with the results they expected. Additionally, the sections of the reauthorization outlining requirements for foreign labor contractors are a positive and necessary step in this process of curtailing trafficking and slavery. In all cases of exploitation of workers here on work-based non immigrant visas with which I am familiar, the recruiters/contractors have not provided accurate information about the work conditions of the specific job awaiting these workers in the U.S. This reauthorization clearly spells out what information needs to be provided, as well as the certification of recruiters/contractors and the various enforcement processes for Department of Labor. The information to be conveyed consists of exactly what any individual in this country is entitled to by law when entering into an employment agreement.

In summary, I support the William Wilberforce Reauthorization of 2007 and urge this committee to carefully consider the TVPA of 2000 that established a victim centered approach. In the words of the Office for Victims of Crime at Department of Justice, this should reflect every victim, every time. This law was created to assist both foreign born and U.S. citizens, men, women and children and the reauthorization 2007 needs to reflect that.

Thank you for your attention and the invitation to appear here today.